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1934

# LOCAL OPTION

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LOCAL OPTION California Proposition 13 (1934).  
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distinctive and individual problems peculiar to their respective classes of business. The needs of one are by no means common to all; each class meets with variable conditions and circumstances unlike those met by the others. An inflexible law, designed to embrace all of them, is at once unjust and impractical. The Usury Law attempted to cover all classes, and has failed miserably.

Relief may be had through the regulation contemplated by the present enactment. The supervisory control will not be absolute but subject to the vigilant review of the Legislature whose power will equalize the regulatory jurisdiction.

California remains as the only State with a large population (a condition lucrative to the money lender) which has not provided for the sound principle of regulation. In this period of economic readjustment, no situation pleads for adjustment more than the prevailing condi-

tion of the loan business. The financial distress of millions has sharpened the greed of the money lender, until today the necessitous borrower bows under the oppressive burden of legally assessed charges which force him deeper into the quagmire of debt.

Only merciless loan sharks and their paid employees who wish to perpetuate present conditions and reap private profit from defenseless borrowers, and the uninformed, oppose this measure. It is remedial in its nature and humanitarian in its scope. It paves the way for justice, it seeks to prevent the oppression of the masses. It is designed for the benefit of the people, for their ultimate good, for their welfare, and, therefore, the people should ratify the act of the Legislature.

Vote "Yes."

CHARLES W. DEMPSTER.  
HERBERT J. EVANS.

<p><b>LOCAL OPTION. Initiative.</b> Adds section 23 to Article XX of Constitution. Provides that upon initiative petition the legislative body of any city or county shall submit to qualified electors thereof, or of one or more precincts therein, question of prohibiting therein</p> <p><b>13</b> traffic in beverages containing more than one-half of one per cent of alcohol. Declares if majority voting on said question vote affirmatively it shall be unlawful, thirty days thereafter, to manufacture, sell, offer for sale, transport or possess therein such beverages, unless question be again similarly submitted at subsequent election and majority voting thereon vote in the negative.</p>	YES	
	NO	

(For full text of measure, see page 27, part II)

#### Argument in Favor of Initiative Proposition No. 13

This measure seeks to amend section 22 of Article XX of the Constitution of California, which gives the State of California, subject to the internal revenue laws of the United States, "the exclusive right and power to license and regulate the manufacture, sale, purchase, possession and transportation of intoxicating liquors within the State." The Legislature vested this "exclusive right and power" in the Board of Equalization. Four men now have the exclusive right and power to license and regulate intoxicating liquor within the State of California. The power conferred is enormous. It is practically autocratic. Four men can issue licenses wherever and to whomever they please. They can license a liquor store across the street from a church. They have done it. They can license a beer hall next to an orderly home. They can permit a booze joint adjoining a high school ground. They have done this in Sacramento and San Diego. And there is nothing the people of the community can do about it further than to implore these four men to be more considerate.

To the most tolerant mind results of the administration of this law have been disappointing. Licensed liquor stores are sprinkled all over California. Licenses have been granted to men with criminal records. Communities whose dominant sentiment is dry have had liquor thrust on them. There are 14,000 liquor licenses in Los Angeles. Licensed Barbary Coast is on Market Street, San Francisco. The "cocktail hour" in licensed hotels is increasingly popular with women. And high school boys and girls are being demoralized in licensed beer joints.

Local option simply restores to the people of any community in California the right and power of self-determination in the matter of beverage alcohol. It does not dictate. It does not even prejudice. It is not a wet measure. It is not a dry measure. The essential thing in it is that it affords the machinery, now non-existent, by which the popular will may be expressed in the matter of liquor. This is what it does. This is all it does. Certainly even the most violent opponent of prohibition could not reasonably object to that. The purpose of the measure is so thoroughly fair and democratic that the citizens of California can support it

[Nineteen]

regardless of attitude toward the personal use of liquor.

**VOTE "YES" on LOCAL OPTION.**

**ALONZO L. BAKER,**  
Mountain View.

**J. FRANK BURKE,**  
Santa Ana.

**A. M. WILKINSON,**  
Hollywood.

**Argument Against Initiative Proposition  
No. 13**

The most drastic "bone-dry" type of prohibition ever submitted to the voters of this State will appear on the November ballot in the form of Proposition 13, designated as "Local Option."

It is difficult to believe that two short years after California so overwhelmingly repudiated prohibition and all of its evils in the repeal of the Wright Act, any minority group, no matter how well organized, would dare to again resubmit an issue so thoroughly discredited by all groups of people, regardless of their individual attitude on the matter of drinking.

The danger of this situation is not that the voters will be willing to again sponsor the crime and debauchery that accompanied the era of the Eighteenth Amendment, but that, through lack of understanding, they will unwittingly return prohibition to California by voting for this measure.

The statement was made above that Proposition 13 is the most drastic form of prohibition legislation ever submitted to the voters of this State. Consider these provisions of the amendment and you will agree on this point without further argument: Proposition 13 makes it possible for any precinct, any city or county, by a majority of those voting, to put this amendment in effect. Within thirty days after such election it will become unlawful in such precinct, city or county to not only manu-

facture and sell but to transport through or even possess therein any liquor in excess of one-half of one per cent in alcoholic content. So drastic is this measure that it makes no exceptions for either sacramental or medicinal purposes.

In any such precinct, city or county so voting, all permits within thirty days thereafter, wholesale or retail, would be canceled. Wineries, breweries and other business establishments would find themselves marooned and their plants useless.

It would mean the springing up of speakeasies, bootlegging, crime, graft and all of the other evils of prohibition in their worst possible form. It would mean a leprous social condition throughout the State with such festering "dry" spots spreading their contamination to other orderly communities. We have seen organized minorities "put over" harmful legislation through special elections where the electorate at large fails to express itself.

Truly, the people of California, with their inherent spirit of liberalism founded on the courageous traditions of the real West; California, with its wine interests, which, through proper encouragement can become an even greater asset, not only to this State, but to the Nation; California, with its expansive fields of grain and hops, its grape vineyards and with its lure of tourist travel, want none of this.

If the voters of this State want to support California's progress toward economic recovery; if the people want this State to continue to enjoy and develop tourist travel and all of our great natural advantages, then they will beware of Proposition 13 bearing this significant and ominous numeral designation and smash it down under a landslide of votes Tuesday, November 6th. Once more we repeat: **BEWARE OF PROPOSITION 13—VOTE "NO."**

**BYRON C. HANNA,**  
President Southern California Business  
Men's Association.

**S. F. B. MORSE,**  
President, Northern California Business  
Council.

for their incorporation, powers and supervision," approved May 18, 1917, as amended, or any corporation incorporated in the manner prescribed in and operating under that certain act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended or any duly licensed pawnbroker or personal property broker, or any bank as defined in and operating under that certain act known as the "Bank Act," approved March 1, 1909, as amended, or any bank created and operating under and pursuant to any laws of this State or of the United States of America or any non-profit cooperative association organized under Chapter 4 of Division VI of the Agricultural Code in loaning or advancing money in connection with any activity mentioned in said title or any corporation, association, syndicate, joint stock company, or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing

money to the members thereof or in connection with any such business or any corporation securing money or credit from any Federal intermediate credit bank, organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended in loaning or advancing credit so secured, nor shall any such charge of any said exempted classes of persons be considered in any action or for any purpose as increasing or affecting or as connected with the rate of interest hereinbefore fixed. The Legislature may from time to time prescribe the maximum rate per annum of, or provide for the supervision, or the filing of a schedule of, or in any manner fix, regulate or limit, the fees, bonus, commissions, discounts or other compensation which all or any of the said exempted classes of persons may charge or receive from a borrower in connection with any loan or forbearance of any money, goods or things in action.

The provisions of this section shall supersede all provisions of this Constitution and laws enacted thereunder in conflict therewith.

**LOCAL OPTION. Initiative.** Adds section 23 to Article XX of Constitution. Provides that upon initiative petition the legislative body of any city or county shall submit to qualified electors thereof, or of one or more precincts therein, question of prohibiting therein traffic in beverages <sup>43</sup> containing more than one-half of one per cent of alcohol. Declares if majority voting on said question vote affirmatively it shall be unlawful, thirty days thereafter, to manufacture, sell, offer for sale, transport or possess therein such beverages, unless question be again similarly submitted at subsequent election and majority voting thereon vote in the negative.

YES

NO

Sufficient qualified electors of the State of California have presented to the Secretary of State a petition and request that the proposed amendment to the Constitution hereinafter set forth be submitted to the people of the State of California for their approval or rejection at the next ensuing general election. The proposed amendment to the Constitution is as follows:

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

**PROPOSED AMENDMENT TO THE CONSTITUTION.**

Proposed addition to Article XX of the Constitution of the State of California, to be known as section 23 of the said article.

**Sec. 23.** Upon initiative petition submitted in the manner required by charter or general law, the legis-

lative body of any city, city and county, or county shall submit to the qualified electors thereof, or to the qualified electors of any portion thereof consisting of one or more election precincts, at any general or special election, the question: "Shall the traffic in and possession of beverages containing more than one-half of one per cent by volume of alcohol be prohibited?"

If a majority of the votes cast on said question shall be in the affirmative, it shall be unlawful, thirty days thereafter, to manufacture, sell, offer for sale, transport or possess therein any such beverage, and all licenses or permits issued therein shall be revoked; and no other license or permit shall be issued therein unless at a subsequent election called in like manner in the very same area, said question shall be again submitted and a majority of the votes thereon shall be in the negative.

This section is self-executing and any violation thereof shall be deemed a misdemeanor and punished as such.